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CHRISTOPHER SMITH

AGER ROMANUS ANTIQUUS

THE ORTHODOXY

It is rare to find anything on which there is almost universal belief and acceptance amongst scholars on ancient Rome¹. One of those rare concepts is that at some point early in their history, and usually supposed to be before 495 BC, when Livy tells us that the rural tribes were fixed², the Romans had a sense of a defined territory; that this territory was marked by sanctuaries; that these sanctuaries left traces in some instances, and in other instances continued in existence into the historical period and were recognised as markers of this territory³; and that this territory had a name, the *ager Romanus antiquus* (Figg. 1-2)⁴. I believe that this is in almost all its elements wrong. The consequences of this position may prove to be liberating.

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¹ A version of this paper was first delivered at the Cambridge conference, Frontiers of the European Iron Age, in September 2013, and I am grateful to Dr. S. Stoddart for the invitation to speak and to participants for their comments. I have benefited from subsequent very kind comments and advice from Seth Bernard, Daniel Gargola, Nicholas Purcell, Tesse Stek, Peter Wiseman, Adam Ziólkowski and the anonymous referees. Any errors remain my own.

² LIVY 2.21; the MS reading «*Romae tribus una et triginta factae*» is often amended from the *Periochae* to «*Romae tribus una et viginti factae*», but the text is problematic; for a sober assessment TAYLOR 1960; and the exhaustive account of RIEGER 2007.

³ On the sanctuaries, see COLONNA 1991 and SCHEID 1987.

⁴ The phrase *ager Romanus antiquus* is used by ALFÖLDI 1963, and the argument had been worked through in detail in ALFÖLDI 1962. In a footnote, ALFÖLDI 1963, p. 304 attributed the notion to MOMMSEN 1887-1888: 3.824, citing SERV., *Aen.* 11.316; and KUBITSCHKE, *RE*, s.v. *ager*, who cites Mommsen. His citation of BELOCH 1880, p. 43 is not helpful to this specific point, and is lifted from Kubitschek. A similar set of arguments had been independently proposed by LUGLI 1951, and reprised in ID. 1966, and cfr. the intriguing reflections by his son, LUGLI 2006. Prior to Mommsen, reference to the Servius passage can be found in BECKER 1843, p. 84. Whether this goes much further back would require another article, but Sigonius in *De antiquo iure civium Romanorum, Italiae, provinciarum ac Romanae iurisprudentiae* (1560, rev. 1593), does not cite the Servius passage, or introduce the concept, though he did use an important Strabo passage which is cited below, and neither does Machiavelli in the *Discourses*, nor do Agostin, Scaliger and Orsino in their notes to Festus' lemma on the *Ambarvalia*, though Agostin, whom the others follow, had already connected the *Ambarvalia* with the Strabo passage, and emended Festus to make it fit. I have not been able to find it either in Niebuhr or Lange. For a recent canonical statement, see F. Coarelli, *LTUR Suburbium*, s.v. *Romanus antiquus ager*: «un territorio definite ritualmente dagli auguri e cioè *auspicatus et effatus*, come l'*urbs* entro il *pomerium* e come i *temple*... L'*a.R.a.* si conservò invariato per tutta l'età repubblicana, come elemento essenziale di una serie di cerimonie ufficiali, alla stessa stregua del *uetus oppidum Palatinum*; esso era infatti caratterizzato da *auspiciali* particolari, che richiedevano operazioni rituali specifiche, ad esempio una *lustratio*, identificabile probabilmente con gli *Ambarvalia*». The *ager Romanus antiquus* was placed in its augural context by CATALANO 1978.

This argument, which I first made in passing in a review of Vistoli's work on Aqua Traversa, in *JRA* 2008, was made in a completely different way the following year by Adam Ziółkowski, and was addressed also by Tesse Stek in 2014. But there is, I believe, still more to be said⁵.

The critical first point of departure is STRABO 5.3.2; I cite the full context, and put in *italic* the critical passage:

«In mythology, however, we are told that the boys were begotten by Ares, and that after they were exposed people saw them being suckled by a she-wolf; but Faustus, one of the swineherds near the place, took them up and reared them (but we must assume that it was some influential man, a subject of Amollius, that took them and reared them), and called one Romulus and the other Romus; and upon reaching manhood they attacked Amollius and his sons, and upon the defeat of the latter and the reversion of the rule to Numitor, they went back home and founded Rome — in a place which was suitable more as a matter of necessity than of choice; for neither was the site naturally strong, nor did it have enough land of its own in the surrounding territory to meet the requirements of a city, nor yet, indeed, people to join with the Romans as inhabitants; for the people who lived thereabouts were wont to dwell by themselves (though their territory almost joined the walls of the city that was being founded), not even paying any attention to the Albani themselves. And there was Collatia, and Antemnae, and Fidenae, and Labicum, and other such places — then little cities, but now mere villages, or else estates of private citizens — all at a distance from Rome of thirty stadia, or a little more. *At any rate, between the fifth and the sixth of those stones which indicate the miles from Rome there is a place called "Festi", and this, it is declared, is a boundary of what was then the Roman territory; and, further, the priests celebrate sacrificial festivals, called "Ambarvia" on the same day, both there and at several other places, as being boundaries.* Be this as it may, a quarrel arose at the time of the founding of the city, and as a result Remus was slain. After the founding Romulus set about collecting a promiscuous rabble by designating as an asylum a sacred precinct between the Arx and the Capitol, and by declaring citizens all the neighbours who fled thither for refuge. But since he could not obtain the right of intermarriage for these, he announced a horse-race, sacred to Poseidon, the rite that is still to-day performed; and when numerous people, but mostly Sabini, had assembled, he bade all who wanted a wife to seize the maidens who had come to the race. Titus Tatius, the king of the Curites, went to avenge the outrage by force of arms, but compromised with Romulus on the basis of partnership in the throne and state. But Tatius was treacherously murdered in Lavinium, and then Romulus, with the consent of the Curites, reigned alone. After Romulus, Numa Pompilius, a fellow-citizen of Tatius, succeeded to the throne, receiving it from his subjects by their own choice. This, then, is the best accredited story of the founding of Rome».

This was read from at least the sixteenth century to suggest that Rome's first territorial boundary outside the city was about thirty stadia out. Humanist scholars from Agostin to Scaliger were already thinking that the *Ambarvalia* and the *Fratres Arvales*, whose

⁵ SMITH 2008; ZIÓLKOWSKI 2009; STEK 2014.

inscriptions had just begun to be unearthed, might have something to do with each other⁶. The next step in the argument has been to join up a series of references to other sites at roughly the same distance from Rome, where the boundary appeared to be in some sense ritualised by sacrifices and then to draw a line between them to construct a boundary. This argument is frequently repeated in modern accounts, so I will sketch it only briefly here⁷.

Ovid refers to the celebration of the *Terminalia* at the sixth milestone of the *Via Laurentina*⁸. This has often been associated with the site of *Acqua Acetosa Laurentina*⁹. The secure identification of the *Dea Dia* sanctuary at La Magliana after 19th century excavations, reopened by the *Ecole Française de Rome* in the 1970s, has not revealed any early material, but at least we can say a lot about the Arval Brethren and their claim to knowledge of the past and their involvement with imperial ideologies¹⁰. A temple of *Fors Fortuna* is located nearby, on the basis of epigraphic dedications, and the reference in two of the inscribed calendars of pairing of temples at the first and sixth milestone¹¹. Another festival mentioned by Ovid, and which was epigraphically located, is the *Robigalia*. Ovid (*Ov.*, *F.* 4.905-42) tells us he met the procession on his way back to Rome from Nomentum. The *Fasti Praenestini* for 25 April place a sanctuary on the *Via Claudia* at the fifth mile¹². There is no easy way to make the two topographical references fit, but the relevance of the festival to the protection of crops is clear¹³.

Livy (*LIV.*, 1.23.3) and Dionysius of Halicarnassus (*D. HAL.*, 3.4.1) both place the *Fossa Cluiliae* five miles or forty stades from Rome. It was here that Rome and Alba Longa fought; here where Coriolanus stopped. He met his mother at the sanctuary of *Fortuna Muliebris*, which is placed by different sources at the fourth milestone of the *Via Latina*, so the two references can be made to match up¹⁴.

Alföldi and Lugli using slightly different logic find another key point where the *Via Appia* and the supposed boundary met. Alföldi located here a statue group of Mars and wolves, reported in a prodigy of 216 BC known from *LIVY* 22.1.2, and Lugli speculated that the road bent around the tombs of the Horatii and Curiatii.

⁶ For the general context, on Agostin see CRAWFORD 1993; and STENHOUSE 2005.

⁷ See BOURDIN 2012, p. 503, footnote 475: «En réalité, cette bibliographie ne fait que reproduire les premières reconstitutions proposées, car les sanctuaires qui sont pris en considération, à l'exception du *lucus de dea Dia*, ne sont pas autrement connus que par des allusions littéraires».

⁸ *Ov.*, *F.* 2.679-84. There is an important temporal as well as spatial element to the *Terminalia*; see MAGDE-LAIN 1962; WOODARD 2002; SABBATUCCI 1988, p. 92; cfr. BRACONI 2007, p. 270; cfr. PICCALUGA 1974 and recently DE SANCTIS 2015 for an excellent modern account.

⁹ LUGLI 1951; ID. 1966; COLONNA 1991 with further references.

¹⁰ The *Dea Dia* sanctuary was discovered in the 19th century, after much speculation over its location. See SCHEID 2008; SCHEID, TASSINI, RÜPKE 1998; and below.

¹¹ *Fast. Amit. ad VIII Kal. Iul.*: *Forti Fortunae trans Tiberim ad milliarium primum et sextum*; *Fast. Esq.*: *Forti Fortunae trans Tiberim ad milliarium I et VI*; *CIL*, I² 243, 211, 320. See also SCHEID 1990, pp. 150-154.

¹² *Ad VII Kal. Mai. Ferae Robigo via Claudia ad milliarium V, ne robigo frum[e]ntis noceat, sacrificiu[m] et ludi cursoribus minoribusq[ue] fiunt. Festus est pu[e]rorum l[e]noniorum, quia proximus superior mer[e]tricum est.*

¹³ See GIANFERRARI 1995; SMITH 1996a; VISTOLI 2005; ID. 2009. This cult is something of a crux, owing to the longstanding arguments over Ovid's description of meeting the cultic procession «as he was returning from Nomentum to Rome». It is not clear that we can place this, as Mommsen did, on the fifth milestone of the *Via Clodia* (*CIL*, I² 316-317). The solution offered in *LTUR Suburbium* s.v. *Robiginis Lucus* (Coarelli, Mari) is to suggest a *Via Claudia* running from the ancient site of Corniculum, allegedly captured by Tarquinius Priscus according to *LIVY* 1.38; see MARI 1992 for conflicting indications of continuity at Montecelio and reduction elsewhere.

¹⁴ *FESTUS* 282.20-22; *VAL. MAX.* 1.8.4; *D. HAL.* 8.36.3, 55.3.

On the basis of this dossier, Alföldi was able to write a famous article called *ager Romanus antiquus*¹⁵ and an allegedly real fact about early Roman history had been established. It has been found sufficiently convincing that any other evidence roughly the same distance from Rome is brought in as evidence; so a votive deposit at Fondi di Coazzo on the *Via Nomentana* has been associated with *Robigo* (despite the topographical problems); as is a votive deposit on the fourth mile between the *Via Latina* and the *Via Labicana*¹⁶. However, the evidence is by no means uncontested.

ZIÓŁKOWSKI'S CRITIQUE

Ziółkowski has questioned the validity of this dossier. Some of his arguments are compelling, though by no means all, as Stek also recognised.

First, we need to address a problem with what Alföldi was trying to demonstrate, and what Ziółkowski is arguing against. Alföldi's main argument was that Rome was far less important in the sixth century than has sometimes been thought – it was engaged in a life and death struggle with its tiny neighbours precisely because it was still a fairly weak state. What the sanctuaries and the boundary which could be drawn between them actually showed was how weak sixth century Rome actually was. For Alföldi, however, the boundary he identifies was still a magical one.

Ziółkowski is right to note that Alföldi's late date for this extension of Roman territory (the post-decemviral period) is largely out of step with modern accounts, but he develops a sense of the 'frontier sanctuary' which makes explicit what remained implicit in Alföldi. He suggests that we would need to demonstrate a possible pre-republican date, a location on what was thought of as (and may have been) an old border of the *ager Romanus*, and martial or at least defensive character of its occupants¹⁷. The danger is of a straw man argument; but in fairness, Ziółkowski is making clear the challenges which come with thinking about boundaries in a military sense. If we review his arguments, we will see that they are perhaps most successful at challenging the expectation he himself sets up for his sanctuaries.

First, Alföldi's shrine of Mars on the *Via Appia* is said by Livy to be *Romae* – at Rome – and the references to it are to a shrine *in Clivo* which we know from an inscription to have been a mile outside the *Porta Sebastiana*. This therefore has no place in the list, and that seems indisputable. Recent work has identified relevant material from Canina's mid-nineteenth century studies of the *Via Appia* and inscriptions in the vineyards nearby, which probably relate to the temple¹⁸; another account places the temple closer to the first mile boundary.

There are three parts to Ziółkowski's argument against the inclusion of a sanctuary of *Robigo*. We have already mentioned the well-known topographical crux. Ziółkowski's second argument is that the prayer has nothing to do with Mars or boundaries, but since we only have highly literary version of the prayer, this is weak. The third argument is

¹⁵ ALFÖLDI 1962.

¹⁶ CIFANI 2005.

¹⁷ ZIÓŁKOWSKI 2009, p. 127.

¹⁸ PAGLIARDI, CECCHINI 2012-2013, pp. 64-67. The temple may be represented on one of Marcus Aurelius' reliefs, depicted on the Arch of Constantine; cfr. DUBBINI 2016.

that even if we accept the suggestion of a location on the *Via Clodia*, the discovery of a Veientine outpost at Colle di Sant'Agata shows that no sanctuary can have been there before 396 BC. This works only if we see the sanctuaries as aggressively patrolling their boundaries.

On *Fortuna Muliebris*, Ziolkowski's strongest argument is that the cult, since it was founded by and for women, has little to do with war – but that of course depends on not seeing any connection between women and warfare¹⁹. His weaker argument is that it cannot be a frontier sanctuary because the battle between the Horatii and Curiatii happens a long way inside the Roman territory. This is a good example of choosing to believe historians when it suits the argument. My guess is that Livy could not have had the beginnings of a clue as to where the battle between the Romans and the people of Alba Longa, a place which did not even exist, occurred. I will come back to this shortly. Ziolkowski has to admit that the Terminalia did take place at the sixth milestone on the Via Laurentina, near Aqua Acetosa Laurentina, but argues that invoking Terminus and the notion of the defence of external boundaries is likely to be late in date.

Finally, Ziolkowski argues that there is no good reason to believe that the *Ambarvalia* was a procession, as opposed to a measure at a specific place, which acted *pars pro toto*; that that may as well have been invented quite late on; and if it took place at Festoi, that may have been at Acqua Acetosa Laurentina²⁰.

The connection with the grove at *Dea Dia* and the *Fratres Arvales* is a major casualty of Ziolkowski's argument²¹. Strabo's reference to *Ambarouia* looks like the *Ambarvalia*, but Festus speaks of two not twelve brothers. One can amend (as Agustin did in 1559)²², or take the view espoused by Coarelli that this refers to an original (mythical) pair of founding Arvals and the college expanded thereafter. However, it remains awkward that there is no reference to anything which looks like the *Ambarvalia* in the inscriptions from the grove. Ziolkowski also makes much of his claim that all we know about the sphere of action of the *Fratres Arvales* relates to ensuring abundant harvests, not 'keeping ritual watch on Rome's frontiers'. This comes from Varro: «*Fratres Arvales dicti qui sacra publica faciunt propterea ut fruges ferant arva*» (VARRO, *LL* 5.85).

The surviving fragments of texts do not give the clear and unambiguous story we might have looked for, but very little in Roman religion is clear and unambiguous. Each fragment refers to some different kind of text. The *Ambarvalia* may well have fallen out of the third century AD conception of what the brethren did. Certainly Varro and Strabo seem to be making a connection, and probably Verrius Flaccus as well. All are writing in the late Republic and early imperial period, and their accounts are going to be subject to exactly the same processes which affected all of the reconstructions of ancient rituals. Hence it is important to be clear what the claim would be; Festoi was one place at which

¹⁹ See SCHULTZ 2006a; EAD. 2006b for excellent comments on this.

²⁰ One way of explaining the extremely difficult Greek place name Festoi is to see it as a misreading of Obscon, which can then be related to Festus 204L Obscum, which can mean «*locus in agro Veienti quo frui soliti produntur augures Romani*», which can then be tied back to the sanctuary of *Dea Dia*. COARELLI 2003, an argument not discussed by Ziolkowski.

²¹ Key texts are Festus (Paul.) 5.1-2; MACR., *Sat.* 3.5.7; and a difficult passage from Ps.-Philoxenos, *CGL* 2.19.25-6 Goetz. The *Ambarvalia* and the *Dea Dia* sanctuary were already dissociated by KILGOUR 1938.

²² See GRAFTON 1983, p. 140.

the Arval Brethren at some point claimed to make a sacrifice, but there were others, and interestingly Strabo says each was a boundary, a *horion*, not that they were all on the same boundary²³. Taken in this limited sense, the traditional topographical connection between *Dea Dia*, the Arval Brethren, the *Ambarvalia*, and therefore something not miles away from Strabo's account may tentatively be reinstated, but we have to be more aware of how frail a reed it is.

This is a mix of arguments then, some better than others. The strongest argument that occurs to me is not one that Ziółkowski makes, but one which his analysis makes clear, and that is the strong connection between all the likely sanctuaries and agricultural or human fertility. There is no reason for the sanctuaries not to be seen as related to the protection of land – quite the opposite. As Stek also pointed out, Ziółkowski is operating with some normative views of what a 'frontier sanctuary' might do, and one compelling response might be to say that this is not necessarily relevant. These all look like undefended sanctuaries, not border posts. This simply reopens the problem in different ways however; if they were operating in a hostile environment, they cannot be frontier sanctuaries, and if they are not operating in a hostile environment, why should we assume that they represent demarcations of undisputed Roman territory? Does the pattern reflect an early situation, a subsequent ritualization of pacified land, or a subsequently invented fiction based on historical guesswork? Stek is therefore surely right that Ziółkowski makes it very difficult to sustain an argument for the *ager Romanus antiquus* being an original demarcation of fixed territory in a hostile context, and we will come back to this below. However, there are other arguments against even a softer version of the *ager Romanus antiquus* concept which can be deployed.

THE REALITY OF ROMAN EXPANSION

It is clear that at some point in time Rome began to expand, and also clear that in so doing, it met other communities and that encounter had consequences which were not wholly positive for those communities. Tracing the stages of this before the conquest of Veii is difficult however for the standard reasons that the ancient account of early Rome is often held to be highly suspect, and Livy himself is cited for his concern over the unreliability of Roman History before the Gallic sack²⁴. Even the destruction of Veii, so vibrantly described in the sources, has left limited physical traces²⁵.

Nevertheless, the accounts in Livy and Dionsyius of Halicarnassus are uncomplicated in their picture of Roman territorial growth. It is interesting that the evidence of the *ager Romanus antiquus* has been used to prove two completely different stories however, one that Rome began to grow very early on and grew to be enormous, and the other that Rome did not begin to grow until the fifth century BC, and was, by contrast, relatively

²³ On Strabo on Italy, see GARCIA MORILLO 2010, who notes his interest in obscure festivals. See also GARGOLA 1995, p. 38 who notes that setting up altars at specific points is part of the act of colonial foundation; see HYGINUS p199L.

²⁴ LIVY 6.1, a famous passage well discussed by OAKLEY 1997-2005 *ad loc.* and in his introduction to vol. I.

²⁵ CASCINO, DI GIUSEPPE, PATTERSON 2012; CASCINO, FUSCO, SMITH 2015.

small. For now, we will leave this aside and concentrate on the argument for any growth at all.

One key statement in Livy (LIV. 2.21) is that in 495 BC, the Romans added some rural tribes. As we have seen above, the text is problematic, and has either to be reconciled with other accounts or regarded as recording a different reality, and this can then prompt reflections on the relatively unknown account of Vennonius, cited by Dionysius of Halicarnassus, or the equally unusual and unreconcilable evidence from P. Oxy. 2088, which suggests an entirely different division of territory²⁶. The most economical and positive version assumes an error in Livy's manuscript, and then can claim that since the statement in Livy is short and brief, it may be taken to be one of his so-called annalistic notices, i.e. something which he took from the earliest records which we assume are the annals of the pontifices²⁷. However, this seriously understates the complexity of the problem, and it is perhaps better to say simply that there is a strong belief in the sources that around the time of the Battle of Lake Regillus there was a consolidation of the Roman tribal system.

Nevertheless, by the beginning of the sixth century BC, it is indeed hard to believe that Rome could not have had any substantial territorial expansion. Whether or not Rome had a sixth century enceinte fortification, it certainly had some fortifications, it had one of the largest temples in Italy, but also the largest number of temples in any single site in Latium, and it had demonstrated striking levels of material wealth and sophistication, within the context of a world of increased conspicuous consumption. All this is known and does not require further discussion²⁸. The challenge is to understand how Rome grew to be the largest city, on any calculation, in Latium, and by what means it could have supported its population²⁹.

There are indications of what may be the consequence of Roman expansion in terms of the disappearance or diminution of sites in Rome's hinterland, such as Aqua Acetosa Laurentina, Tor de' Cenci, Castel di Decima and so on; whilst in the sixth century we see the villa site at the Auditorium, which, whilst it cannot yet be described as indicative of general developments, does at least show a particular kind of rural exploitation³⁰. Other evidence from survey seems to show a filling in of the landscape³¹.

²⁶ Above n. 2. On Vennonius see *FRHist.* 13, and note that Dionysius' text is itself corrupt; on *POxy.* 2088 see *FRHist.* 109.

²⁷ This is effectively Ogilvie's line in his commentary (OGILVIE 1965), referring to Mommsen's brisk argument, and note Ogilvie's comment on 2.21.6 «L. is briefly and somewhat casually listing a number of events which have no interest for him since they have no historical possibilities». For a succinct statement of the style of the annalistic notices see OAKLEY 1997-2005, I, p. 128: «We should note the unadorned style, the brief sentences, the omission of parts of *sum* with perfect passive participles, the repetition of *eodem anno*, the general lack of subordination, and the series of disparate notices attached to one another without co-ordination». This then is assumed to reflect the style of the annalists, on the basis of descriptions such as CIC., *de orat.* 2.53 («*sine ullis ornamentis*») and CIC., *leg.* 1.6 (*quibus nihil potest esse ieiunius*). The obvious rejoinder is that Livy was surely capable of writing like an annalist when he so wished, and style gives no proof of veracity of content.

²⁸ CIFANI 2007; COARELLI 2011; HOPKINS 2016; POTTS 2015.

²⁹ The available data are discussed in BELOCH 1886, pp. 339-340; BRUNT 1971; COARELLI 1988; CORNELL 1995, pp. 198-208.

³⁰ See a very summary account in SMITH 1996b. Acqua Acetosa Laurentina: BEDINI 1978; ID. 1979; ID. 1980; ID. 1990; ID. 1991; SCHIFI 2003. Tor de' Cenci: BEDINI, CATALANO 1988. Castel di Decima: BEDINI, CORDANO 1975; ZEVI 1977. The specific relationships of each of these sites to its neighbours may also have had an impact, for instance if we believe that Castel di Decima was a satellite of Lavinium. Auditorio: CARANDINI, D'ALESSIO, DI GIUSEPPE 2006.

³¹ One critical area of attention is to the north of Rome, around Antemnae, Fidenae and Crustumerium,

In short, no-one would be greatly surprised if we were transported back in time and could see for ourselves that Rome had expanded the territory under its control in the sixth century on the right bank of the Tiber, and maybe even on the Veientine side. In the absence of any literary evidence whatsoever, presented with the archaeology, one would assume that since Rome was an increasingly substantial site, it must have drawn on the exploitation of a territory to support a growing population, and it may have done so at least contemporaneously with expansion elsewhere, if not at the expense of others. This is why the concept of the *ager Romanus antiquus* is so attractive – as a seemingly independent discovery from sources who were not trying to tell the story of Roman expansion, and presented as an apparent fossil from an earlier period, this seems to have the potential to corroborate the narrative and give additional certainty.

There are dangers however. It is tempting to push the archaeological evidence further, and to overplay the corroboration of the narrative. In the next sections we will look at three kinds of argument which have made use of the concept of the *ager Romanus antiquus* to make further claims about Roman practice and reality. My point is not to argue against the likelihood that Rome seems to have expanded, or that it must have had mechanisms to cope with that expansion. As argued here, in broadest terms, I think this must be true, but the question is whether this means that the Romans had something called the *ager Romanus antiquus*. From Alföldi to recent accounts by Bourdin and Fulminante, this concept has stuck, and we should now define what are the characteristics of this concept.

CORROBORATING THE NARRATIVE

For some the temptation to take the notion of the *ager Romanus antiquus* and use it to corroborate other aspects of the ancient narrative has been difficult to resist. We can try to extract more from the sources on the development of the Septimontium³², the expansion under Ancus Marcius³³, and the places mentioned on Coriolanus' march³⁴, and use these fragments to give us a clear narrative, all of which in essence start from or end with the *ager Romanus antiquus* as previously defined. It is entirely possible that some stories did survive about Roman territorial expansion; but it is much more difficult to tell which are the genuine ones and which are not, and indeed which bit of any story is the original bit. The Septimontium is a famous crux³⁵; the arguments to support an expansion under Ancus Marcius (whose historicity can be doubted) proceed through a great deal of circular argument, especially over the location of individual sites which the sources themselves claimed had disappeared³⁶; and the comparison between the march of Coriolanus and

surveyed by QUILICI, QUILICI GIGLI 1978; IID. 1980; IID. 1986; and subsequently the subject of considerable attention, since this should be the area of the *tribus Claudia* and the *tribus Clustumina*. See AMOROSO, BARBINA 2005; ATTEMA, DI GENNARO, JARVA 2013.

³² The Septimontium plays a large part in some of Carandini's reconstructions of early Rome; CARANDINI 2003.

³³ CAMOUS 2004.

³⁴ LUGLI 1966; for other accounts see SALMON 1930; CORNELL 2003.

³⁵ VOUT 2012, pp. 59-75 gives a good account of the problems of treating the Septimontium as a straightforward archaic survival.

³⁶ E.g. CAMOUS 2007.

the march of Sulla might as easily imply major historiographical contaminations as any survival of original material³⁷.

One of the critical problems is the juxtaposition of evidence from very different generic registers. The historians were clearly operating with a notion of territorial extent which made sense to them, but moving from this to the legal and other realities is not straightforward. The problem is almost the very notion of what *ager Romanus antiquus* could have looked like. Could the Romans have had a notion of a fixed boundary of the kind which can be translated onto a map?

First the notion of *ager Romanus*, as opposed to someone else's *ager*, is clearly a significant claim, and obviously reminds one of the allegedly very early treaty commitment to respect the territory of Gabii³⁸. The existence of *ager Gabinus*, defined by treaty, does imply a world of different *agri*, but presumably similarly defined and recognised, so that one knew when one had passed from one to the other.

Varro's description (VARRO, *LL* 5.33) of the kinds of *ager* which existed shows a fascinating progression from precision to generalization:

«*Ut nostri augures publici disserunt, agrorum sunt genera quinque: Romanus, Gabinus, peregrinus, hosticus, incertus. Romanus dictus unde Roma ab Romulo; Gabinus ab oppido Gabiis; peregrinus ager pacatus, qui extra Romanum et Gabinum, quod uno modo in his servantur auspicia; dictus peregrinus a pergendo, id est a progrediendo: eo enim ex agro Romano primum progrediebantur: quocirca Gabinus quoque peregrinus, sed quod auspicia habet singularia, ab reliquo discretus; hosticus dictus ab hostibus; incertus is, qui de his quattuor qui sit ignoratur*».

The idea of *ager incertus* in the context presumably refers to relations between Romans and others. It is possible to say that Varro is reflecting immensely old concepts, contemporary with the *ager Romanus antiquus* itself³⁹. Indeed it is precisely by associating augural law with early concepts of land, and assuming that the augural law was unchanging, that we find the mechanism which permits the continuing knowledge of this ancestral concept. Yet this is dangerous precisely because it radically underplays the inventiveness, creativity and messiness of augural law. As Linderski wryly notes, even Cicero's references to *antiquissimi augures* need not mean more than 'some time before the age of Cicero'⁴⁰.

There are other arguments which can be deployed which should have made us worry more about the line on the map. The first of these is cartographic practice and spatial conceptualization. The argument over Roman map-making has been a long one, and positions have been taken which perhaps at the end look extreme, but we do have to face the significant question of whether the Romans conceptualised space in the way we do when

³⁷ CORNELL 2003, p. 77 argues that «cross-contamination ... is not a necessary assumption and would be difficult to prove either way». See FLOWER 2015 for the highly constructed nature of the memoirs which included the march on Rome.

³⁸ *Ager Gabinus*: CATALANO 1978, pp. 494-495; for the *foedus Gabinum* see D. HAL. 4.58 (it was preserved on the leather cover of a shield in the temple of Semo Sancus at Rome) and coins minted by the Antistii of Gabii (*RIC*² 1, 68 no. 363 and 73 no. 411). See BRUUN 1967; MONTERO HERRERO 1981.

³⁹ FESTUS p187L ignores *ager Gabinus* and *ager incertus*.

⁴⁰ LINDERSKI 1986, p. 2156.

we identify the concentric circles at the centre of our maps – urban tribes, pomerium, *ager Romanus antiquus*, and so on⁴¹. At the very least, it is worth noting that all the evidence we have relates to distance from Rome along key roads⁴². Would the Romans have found it necessary to join the dots⁴³?

Second, and not unrelated, is the notion of territory and frontier which we are deploying. To start at a very high level of abstraction, there is a genuinely significant issue of when the concept of territory actually came into being, and this has been the subject of a remarkable book by Stuart Elden⁴⁴. The advanced modern concept of territory, ‘a bounded space under the control of a group of people, usually a state,’ is on Elden’s reading something we owe to Leibniz. It is the historical product of many different concepts, cartographic, military, religious, and above all political. It is part of an argument about sovereignty, and it was completely familiar as a concept to all the 19th century authorities who started to use the term *ager Romanus antiquus* and not part of the mental landscape of Scaliger and his contemporaries. This may give us an important clue as to where the idea of a fixed quantity of territory came from⁴⁵.

The Romans of course had a notion of boundary and barrier, but fluidity and indeterminacy must not be overlooked. It is not until their imperial expansion, and indeed it was perhaps because of it, that the Romans start to think in terms of defined areas of their empire. One way of explaining how the Romans could have had a very precise definition of their early territory this is to fill the *ager Romanus antiquus* with rigidly defined plots of *bina iugera*. Even if the Romans were vague about the notion of fixed borders until a relatively late date, it has been argued that they seem to have had the notion of parcels of land from an early point⁴⁶. At some stage, on this argument, the Romans must have differentiated between original and non-original allocations. At the very least, we have to acknowledge that since the initial distribution is attributed to Romulus, and then to Numa,

⁴¹ A good example is to be found CARANDINI 2006, fig 32, which in a sense is a visual representation of CATALANO 1978. On Roman maps, see JANNI 1984; DILKE 1985; NICOLET 1991; BRODERSEN 1995; ID. 2004; PURCELL 1990.

⁴² See SCHEID 1987, p. 592, footnote 29: «*F. Zevi me segnale, à bon droit, que cet ensemble d’entrées sur l’ager Romanus antiquus permet de reconstituer le réseau des grands axes routiers de l’époque archaïque*». This is a sharp and important point.

⁴³ Clearly the Romans sometimes did do so. At the least, the phrase *regere finem* implies the existence in the time of Cicero, and possibly much further back, of boundary management; *Cic., leg.* 1.21.55 (referring to the XII Tables VII.2-5 Crawford; *Top.* 10.43; *Mur.* 9.22; *Tib.* 1.3.44; *Dig.* 10.1 and *CJ* 3.39 *tit.*, with VINCI 2004. The *pomerium* also implies some sense of a circuit, and the *Terminalia* and several other of the festivals associated with boundaries and some attributed to the boundaries of the *ager Romanus antiquus* are in the older festival calendar; see BAUDY 1998; PICCALUGA 1974; RÜPKE 2011 for the calendar. Another approach is to see the boundary as a feature of Indo-European thought, and so absolutely rooted in ancient culture, and indeed connected with the role of the *rex* (hence *regere fines*), a view which derives from Benveniste’s brilliant theories (BENVENISTE 1973, p. 307). None of this proves the existence of the specific *ager Romanus antiquus* which modern scholars argue about.

⁴⁴ ELDEN 2013.

⁴⁵ Without entering the debate over the conclusions drawn for the Social War, my argument here inevitably invites comparison with Mouritsen’s brilliant analysis of Mommsen’s view over Roman imperialism as a process of *Vereinigung*, and the way Mommsen saw unification as a process whereby incorporation into Roman territory meant incorporation into Roman sovereignty. See MOURITSEN 1998.

⁴⁶ On the *heredia* see CAPOGROSSI COLOGNESI 1988; ID. 2006. More sceptically, GABBA 1985; and see MOATTI 1993 for the late introduction of record keeping.

Tullus Hostilius and Servius Tullius, we are dealing with a subsequent (and possibly late) rationalization of the observed reality. Moreover, no source explicitly relates these distributions to any original territory.

This is why one looks for non-narrative descriptions in the hope that they might retain through their differential mechanisms of preservation of information the sort of evidence we need. Augury is one of the ritualized actions which seem to offer precisely the sort of practices which related to fixed boundaries. The song of the Arval Brethren is another key text, since it relates to specifically to the shrine of *Dea Dia*. Preserved epigraphically, it appears to invoke Mars as protector of the *limen*, which might mean *limes*⁴⁷. But how and why did this text get written down by the Arval Brethren early in the third century AD? What are the mechanisms for choosing texts to be recorded, and how reliable are the exegeses?

This is partly the subject of Duncan MacRae's recent volume, and his account offers a salutary description of the performance of constructing a civic theology in the second and first century BC. This was an elite business, and as with almost all genres, the reference to the distant past was a self-conscious legitimation, with little real purchase on reality. The *leges regiae* could be of any period; their 'regalness,' like the reference to the books of Numa, has a relevance to late Republican practice. As MacRae writes, 'the idea of a body of religious law passed down from Numa (or even earlier) supported the selective textualization of particular rituals and customs'⁴⁸. Augustus' intervention into the practices of the Arval Brethren, and the general recuperation of the regal past, all have their roots in second and first century BC writing and thinking about religion⁴⁹. These processes are then replayed in the Severan period, as we see another phase of activity, with a self-referential nod to the distant past.

The language of the Arval Hymn suggests its antiquity, but the point is that this is an antiquity mediated through subsequent reflection. The two key consequences are that it is highly probable that augural law and other practices evolved, and indeed we shall see this process actually happening later in this essay, and that evolutions may have sought justifications in reinterpretations and representations of the past. Consequently there are no fixed practices which we can use straightforwardly to anchor the narratives. *Ager Romanus* was a matter of definition and definitions changed. Moreover, we must be alive to the plausibility of notions of territory within fixed borders over which a state exercises sovereignty, which are seldom applied for the Roman empire, and arguably derive from entirely different thought-worlds.

In short, an argument derived from the assumption that there were rigid legal definitions to be recovered from the archaic period looks to be problematic, even if this was in fact precisely how the argument originally started. Can we therefore find explanations rooted in practice which might permit a different kind of transmission?

⁴⁷ *CIL*, VI 2104 = 32388; SCHEID, TASSINI, RÜPKE 1998, no 100; SCHEID 1990, pp. 616-623. All discussion must start from NORDEN 1939.

⁴⁸ MACRAE 2016; quote at p. 47. See also WATSON 1972; FIORENTINI 2011, pp. 281-289.

⁴⁹ It may not be entirely irrelevant that Augustus seems to have taken a very keen interest in boundaries; see CAMPBELL 1996, pp. 96-98; ID. 2005, p. 326.

FRONTIER SANCTUARIES

For Alföldi and for Bourdin and for many others, including myself, sanctuaries have come to be a key factor in the definition of territory. There are a lot of contributing factors. One was undoubtedly the brilliant and influential thesis of de Polignac on extra-urban temples in the Greek world, published in French in 1984 and in English in 1995. This really was a game-changing book. The idea of the frontier sanctuary, especially when connected with hero-cult and wild/civilised structuration, and exported to colonial contexts, seemed to have superb explanatory power. It made the whole centre-periphery argument so much more alive⁵⁰.

When brought into the context of Roman expansion, and indeed models of central Italy generally, de Polignac's model looked to have something very powerful to say. The notion of a sanctuary on a boundary, both defining and negotiating liminality, provokes lots of ideas – one thinks perhaps of Lavinium; attaching this to hero-cult is really intriguing when one thinks of places like Tor de' Cenci or some of the rather isolated rural burials⁵¹. So the sanctuaries discussed above could look very much as if they are along the lines of these extra-urban sanctuaries.

The current focus on memory is significant here, because for the model to work, we have to assume that the Romans remembered something which was far in their actual past⁵². Alföldi was also interested in memory – his argument was that the Romans invented memory. The fact that the Roman sources are so much later than the events of early Rome forces us to use models of memory, memorialisation, and ritualization to help explain how any information passed on at all. So the idea that the Romans sustained a concept of the *ager Romanus antiquus* – that is a concept of the territory as originally (whatever that means) defined – is attractive, and especially in the context of sanctuaries as 'places where human and material agency interact in such a way as to pass on a varied but linked complex of knowledges from one highly selected generation to another'⁵³. It fits with the assumptions about the Romans as being hoarders of information; it fits with nuanced accounts of Roman religion in which preservation and invention of tradition, or put another way conservatism, conservation and adaptation are all bound together⁵⁴. Roman religion can change because it has a notion of its own past.

We do have to be careful however to recognise the limitations of de Polignac's model as applied to our own case. In his contribution to the Taranto conference on *Confini e*

⁵⁰ DE POLIGNAC 1995. For a very helpful sceptical reading, see POLINSKAYA 2006, p. 85: «there is plenty of evidence... to show that there is no opposition, no dichotomy, but rather a continuous line drawn through the landscape between multiple sacred spots, each segment of which is meaningful».

⁵¹ TORELLI 1984; see BEDINI, CATALANO 1988 for Tor de' Cenci as a *Compitum*.

⁵² Another memory is of the Tiber as the border between Rome and Veii; see FESTUS 232L; GELL. 20.1.46-7 (the provision in the Twelve Tables on selling debtors *trans Tiberim*; cfr. LIVY 8.14.5-6 and 20.9, with OAKLEY 1997-2005 ad loc. The Senate requires Sulla not to come closer to 40 stades to the city in 89 BC (APPIAN, *b.c.* 1.255), that is at the *Fossa Cluiliae*; see GABBA 1958, p. 168. BOURDIN 2012, p. 513 observes «la frontière concentre les représentations et les polémiques identitaires. ... le Tibre, que n'est plus une frontière inter-ethnique depuis le Ve s. av. J.-C. au moins, conserve son image de *Tusculus amnis* encore à l'époque impériale». See DE LAURENZI 2005 for the reinforcement of remembered frontiers in the description of the Augustan *Regio* of Etruria. On memory, see GALINSKY, K. 2014; GALINSKY, LAPATIN 2015.

⁵³ WOOLF 2015, p. 213.

⁵⁴ One of the critical demonstrations of the construction of religious memories of Rome's early past is BEARD 1987.

Frontiera, Torelli began to offer some qualifications to the wholesale adoption of the model of a frontier sanctuary, and to insist on the proper contextualization of each site⁵⁵. As we have seen, Ziółkowski and Stek have also begun to chip away at the plausibility of the frontier sanctuary model.

There is a tension between a border and a place of interaction. To what extent should we see sanctuaries as ‘owned’ or shared? To what extent do the sanctuaries in any sense police a border? They marked, as we have seen, something along a road, usually a road out of or into a city, but thereafter we need to be thoughtful as to how a wealthy sanctuary was defended. Either it was so far inside the boundary that its security was to be assumed, or it was guarded by its sanctity, which was again a value generally recognised.

This is interesting because the earlier the notion existed, the more it has to co-exist with archaic notions of horizontal social mobility, such as we see in the epigraphic record, and we need to combine it with the phenomena of *commercium* and *conubium* between Romans and Latins⁵⁶. In a sense what we are seeing is a balancing act between definition and permeability; it is the same sort of complex story that we see when we have to think about walls and gates⁵⁷. They presuppose each other. But a walled city and a territory are also very different from each other.

This is to an extent the problem identified by Bourdin with his concept of the ‘*frontières sacrées*’ which are then absorbed into a ‘*frontière fortifiée*’ with the establishment in the fourth century of Ostia and La Giostra⁵⁸. The originality of Bourdin’s approach is to place the Roman reality into a broader central Italian context; so he compares the modest radial boundaries of Rome with the twenty km radius of the border of Caere. Like Tarquinia, Rome extends its boundary and fortifies it in the fourth century BC. For Bourdin, the frontier can be both physical and symbolic but ultimately always political: «*La frontière est matérialisée quand elle est investie par une autorité politique; elle n’est que la traduction spatiale de la cessation d’une autorité politique, qu’elle cesse par dilution ou par tangence. ... La frontière est la traduction spatiale de l’exercice d’une autorité politique*»⁵⁹.

This would place the six mile border as the extent of Roman territory in the sixth century BC, and the role of the sanctuaries as genuinely border guards of the integrity of the Roman territory. Bourdin actually finds himself arguing for a similar view of Rome in the sixth century to Alföldi. It would be easy to spin a story that this vulnerability assisted those processes of memory formation, but archaeologically, we have little evidence for the sanctuaries; Acqua Acetosa Laurentina has an *agger*⁶⁰, but we have nothing relevant for

⁵⁵ «Occorre perciò procedere con molta cautela nel riconoscere la caratteristica di luoghi della “frontiera”, che troppo spesso certa critica storica, nell’ansia di indicare i possibili luoghi dell’integrazione, ha attribuito con larghezza a molti santuari coloniali purché extramuranei: altro è la natura di luoghi di culto sorti ai margini delle chorai coloniali a segnare l’identità culturale e religiosa dei coloni sparsi nel territorio (e spesso, non a caso, si tratta di duplicate di grandi culti urbani o suburbani), altra è la concreta funzione storica svolta da alcuni grandi santuari extra moenia, con le loro feste, le loro fiere e i loro rituali capaci di favorire spinte in direzione di un’integrazione etnica e culturale tra i frequentatori» (702).

⁵⁶ This contradiction underpins Armstrong’s recent attempt to resolve the paradoxes through arguing for mobile clans and an early state of continuous sporadic warfare (ARMSTRONG 2016).

⁵⁷ SMITH, TASSI SCANDONE 2014.

⁵⁸ BOURDIN 2012, pp. 429–513. See also CIFANI 2003.

⁵⁹ BOURDIN 2012, p. 511.

⁶⁰ ZIÓLKOWSKI 2005 for *aggeres* in general.

the grove of Dea Dia. So this section leads us to ask two questions; first does the archaeology more generally support the view that we are looking at a ring of frontier sanctuaries, and second is the evidence for the sanctuaries sufficiently strong?

FULMINANTE AND THE ARCHAEOLOGICAL CONSTRUCTION OF THE *AGER ROMANUS ANTIQVUS*

Francesca Fulminante's major book on central Italy is beyond doubt the most sophisticated recent intervention, deploying a range of technical arguments and tools to draw a new picture of the social and economic development of Rome and its hinterland⁶¹. Fulminante lays emphasis on the importance of the Late Bronze Age, very much in the line of Peroni's assessments of the evolution of central Italian society⁶². She also presses the case for major developments in the eighth century BC, not only at Rome but across Latium, thus strengthening the case for a regional approach to the study of Rome.

With specific reference to the *ager Romanus antiquus*, Fulminante begins from the standard bibliography and runs through the arguments made from the sources. Her argument then tends to make the case for the five mile radius as representing a very early territorial extent. Her methods include Thiessen polygons, carrying capacity, and viewsheds⁶³. The first method has to be nuanced by the introduction of a polycentric hierarchical settlement pattern. However, the results all arrive at more or less the same claim, that Rome had extended its control of the five mile radius, and was exceeding the carrying capacity of that area, by the mid-eighth century. The definition of this area is therefore is extremely early, and she suggests it was formalised around the same time as the eighth century 'foundation of the city'.

It will be immediately obvious that this conclusion is in tension with the view of Alföldi and Bourdin that the sanctuaries were marking the limit of Roman territory at some point in time, which both of them date to the sixth or fifth centuries BC. It will also be immediately evident how difficult this is for any sensible version of the argument based on the generation and preservation of memory through the sanctuaries. In essence, a memory of a defined area of *ager Romanus antiquus* will have had to be preserved from the early Iron Age. My view is that this is highly unlikely and that if the notion of the survival of the memory of a clearly defined border from the sixth century is problematic, it is inconceivable that it survived from the ninth century. If Fulminante is right, Bourdin's nervy exposed frontier must fall.

Fulminante also argues that her conclusions predict Roman militarism; in other words, the fact that Rome exceeded its carrying capacity predetermines the acceleration

⁶¹ FULMINANTE 2014.

⁶² Fulminante developed some of the ideas in a volume in honour of Peroni; FULMINANTE 2005. On Peroni's overall picture, see most conveniently PERONI 2004.

⁶³ There are some issues with Fulminante's analyses – for instance, the morphology of the *ager Romanus antiquus* (fig. 32) is derived from a shortest-path analysis, using the sanctuaries which are argued to be definitional for the boundary. This is then captioned as 'the *ager Romanus antiquus* according to the literary sources' which is somewhat misleading; it is a projection based on the assumption of a 'shortest-path' approach onto certain fixed points, only some of which are really secure, and none of which can be taken to prove a continuous border. This is non-trivial, because although Fulminante is very clear about the methodology's shortcomings, the map is used throughout the chapter and runs the risk of becoming a new canonical version.

of Roman military activity. This is a very important argument, but it has already been challenged by Mogetta in a thoughtful review⁶⁴. His alternative suggestion is as follows: «What may have been happening, in tandem with the emergence and consolidation of centralized socio-political institutions which had the further goal of mobilizing additional resources once the threshold of self-sufficiency had been reached, was not so much agricultural intensification, but rather the medium-range movement of staples within a system of closely interacting, politically independent communities» (544).

In 1987, P.G. Guzzo wrote a remarkable article attempting to define how to understand a frontier sanctuary⁶⁵. He concluded that sanctuaries normalized productive activities between different groups, and I think this has the potential to be a helpful way of conceptualizing both any original features of the cults, as they were met along the roads in and out of Rome, and also of understanding their continuing symbolic role. Ovid is absolutely explicit that his version of the *Robigalia* has transmuted from a ritual of purely agricultural significance into a vouchsafe for Augustan peace. Analogical thinking at points along a highly constructed concept of Rome's earliest history gives no comfort to those seeking to track where Rome's sixth century boundary lay, but it might be another useful way of thinking with borders.

So far, then, we have questioned whether there could have been any fixed notion of the *ager Romanus antiquus* similar to the maps produced by Alföldi, Fulminante and others. We have worried about the notion of a frontier sanctuary. We have illustrated two very different models for Roman territorial development, and suggested some different ways of thinking about the consequences of Fulminante's argument that Rome had exceeded its carrying power. What remains is to ask whether, after all, the Romans ever actually spoke of *ager Romanus antiquus*?

THE MISSING PHRASE

The phrase *ager Romanus antiquus* is, in fact, to the best of my knowledge never used in antiquity in the way it tends to be used by modern writers. The closest is in a passage in the Servian commentary to the *Aeneid*.

«EST ANTIQUUS AGER TUSCO MIHI PROXIMUS AMNI hoc loco Donatus erravit dicens, agrum quem Latinus donare disponit, esse in Campania iuxta Vfontem fluvium, quod etiam Clanarius ait, cuius terras vicinas Tusci aliquando tenuerunt, ut inde dictum sit 'Tusco mihi proximus amni.' agit etiam hoc argumento, quod illic est locus qui hodieque pinetum vocatur. Sed constat omnia illa loca esse campestria, nec procedit quod dicitur 'celsi plaga pinea montis.' unde sequenda est potius Livii, Sisennae et Catonis auctoritas: nam paene omnes antiquae historiae scriptores in hoc consentiunt. Cato enim in originibus dicit Troianos a Latino accepisse agrum, qui est inter Laurentum et castra Troiana. hic etiam modum agri commemorat et dicit, eum habuisse IIDCC. Sane 'antiquus' potest et nobilis accipi: vel secundum Trebatium qui de religionibus libro septimo ait luci qui

⁶⁴ MOGETTA 2015.

⁶⁵ GUZZO 1987.

sunt in agris qui concilio capti sunt, hos lucos eadem caerimonia moreque conquiri habere oportet, ut ceteros lucos qui in antiquo agro sunt. 'antiquum agrum' Romanum cogit intellegi (SERV. Aen. 11.316)».

The commentary refers to Latinus' speech urging the Latins to acknowledge the Trojans' invincibility, and he suggests gifting them some land, and hoping for a settlement. 'I have some *antiquus ager* near the river Tuscus,' he says. The Aurunci and Rutulians farm it, and it runs down to the borders of the Sicani. The Servian commentary takes issue with Donatus who had placed the land in Campania; clearly it is the same land as Livy, Sisenna and Cato refer to, between Laurentum and the castra Troiana, that is around Lavinium (Pratica di Mare). Servius Auctus is more interested in the word *antiquus*, which appears to refer to the land as being in some sense Latinus' own royal land, but Servius Auctus glosses this as *nobilis* and cites Trebatius for the argument that wherever land is, the shrines within it should be treated in the same way as in the old land, for which one must read 'Roman.'

This tradition that Aeneas was granted land in Latium is clearly old, and is part of the web of allusion and reference which binds Lavinium into Rome, and has its archaeological correlate in the federal sanctuary⁶⁶. The Servian references however take us to a quite different world, of augural rules, and we can see the relevance by considering another reference at SERV., *Aen.* 2.178:

«Argis. [Servius] *adverbium loci est. et respexit Romanum morem: nam si egressi male pugnassent, revertebantur ad captanda rursus auguria. [Servius auct.] item in constituendo tabernaculo, si primum vitio captum esset, secundum eligebatur; quod si et secundum vitio captum esset, ad primum reverti mos erat. tabernacula autem eligebantur ad captanda auspicia. sed hoc servatum a ducibus Romanis, donec ab his in Italia pugnatum est, propter vicinitatem; postquam vero imperium longius prolatum est, ne dux ab exercitu diutius abesset, si Romam ad renovanda auspicia de longinquo revertisset, constitutum, ut unus locus de captivo agro Romanus fieret in ea provincia, in qua bellabatur, ad quem, si renovari opus esset auspicia, dux rediret».*

This passage has recently been considered in some detail by Konrad in his consideration of C. Aurelius Cotta's actions in 252 BC, who had to repeat his *auspicia*, and Konrad argues that this must mean that he returned to Rome, as one of the sources pointed out⁶⁷. The fundamental issue is that foreign land could be treated as *ager Romanus* for a variety of purposes, but probably not for repetition of the auspices. For these and other purposes, as Trebatius is presumably making clear in his passage, we have to go back to some sort of definition of Roman land which is authoritatively original, *antiquus*. C. Trebatius Testa, friend of Cicero and follower of Caesar, wrote extensively *de religionibus* (nine books according to Porphyry, at least ten according to Macrobius), and was clearly much concerned with definitions⁶⁸. This is in fact the only strong evidence we have for an area of

⁶⁶ *Enea nel lazio* presents the relevant material; see also TORELLI 1984.

⁶⁷ KONRAD 2008.

⁶⁸ BREMER 1896, pp. 376-424; this passage at 405.

Roman territory being regarded as in some sense original, and it is perhaps worth noting that the crucial difference for some augural terms was between land inside and land outside Italy, so that in 210 BC, the senate could decree in the case of naming a dictator, that this had to take place «*in agro Romano: eum autem in Italia terminari*» (LIVY 27.5.15).

One final comment on Trebatius. It is very important to note what the text is actually saying. If one does not accept the idea that *antiquus* means *nobilis*, then, as Servius Danielis suggests, we can look at Trebatius Testa. What he said was that the way you should celebrate rites at *luci* which had been captured should be treated in the same way as those in the ancestral lands⁶⁹. Then we must assume that this is glossed by Servius Danielis ‘and of course that means Rome.’ What Trebatius very definitively cannot be made to describe is a circuit of ancestral augural land. It is much more likely that he was worried about acts of sacrilege, and this interesting flattening out of local practice, insisting on the use of Roman normative behaviour in non-Roman contexts, has nothing to do with a remembrance of something called the *ager Romanus antiquus*⁷⁰.

Augurs clearly did worry about what was inside and what was outside. Cicero says that the job of the augurs could be described as follows: «*urbem et agros et templa liberata et affata habento*» (CIC., *leg.* 2.21). Linderski comments that ‘the augurs were interested in keeping permanently ‘liberated’ and delimited not only the *pomerium*, but also all the lines that separate from each other different categories of the *agri*’, and he goes on to cite the Varronian types of land. Marius Victorinus quoted yet another refinement – the «*auspicium pertermine: pertermine dicitur auspicium quod fit cum de fine Romano in agrum peregrinum transgrediuntur*» (14.21 Keil)⁷¹.

So where did Cotta return to? Konrad repeats the reference to the *ager Romanus antiquus*, and cites Rüpke, who suggests that augury, as a *Raumdefinitionsritus*, was limited. The place where a magistrate took his initial auspices was, it is usually assumed, Rome and so the obvious answer is that Cotta returned to the city, as Konrad indicates is a possibility. The clear fact is that in the absence of any other characterization of Cotta, all we know is that he was so fierce about the failure of one of his junior colleagues, and in some instances a relative, in not defending the Roman position in his absence, that he had him thrashed and demoted. So here we have a story of unbending respect for the ancient rules, familiar from many other stories of Roman righteousness.

So what seems to be critical is not the recollection of a specific area of Roman territory which at some point was the original area of augural land, but rather the regular interpretation of what was acceptable or not as an area within which augury could take place. We have no reason to assume that if there was a concept of an original area, it was coterminous with the sacred boundary at five miles from Rome, which modern authorities have constructed. However, we should not exclude the possibility that there were attempts to reconstruct the past.

⁶⁹ The text is not secure. HÜSCHKE 1886, p. 100, following Salmasius, emended *concilio* to *quondam bello* and *conquiri* to *coinqui*; BREMER 1896 cites but does not follow, or for that matter explain the text.

⁷⁰ For Trebatius on sacrilege, see also D. 10.3.6.6 (ULP. 19 ad ed.); ARNOB., *adv. nat.* 7.31; GELL. 7.12.5; MACR., *Sat.* 1.16.28; 3.3.2-5; 3.5.1; 3.7.5-8; PHILARGYR., *ad Verg. Georg.* 2.381.

⁷¹ LINDERSKI 1986, p. 2157; see also GARGOLA 1995 for an excellent discussion of augury and land; see also GARGOLA 2017. CARLA 2015 has important arguments about the relationship between the *pomerium* and *ager Romanus*, but the upshot is to emphasise fluidity over time.

Let us look again at the Strabonian passage. As Nicholas Purcell has observed to me, it is Herodotean in flavour; in context the passage is part of a geographical and historical digression trying to distinguish myth and history in the very earliest phases of Roman history. Strabo refers to the *hieromnemes*, certainly the Arval Brethren, who demonstrate (*apophainousi*) that Festoi is a boundary of the Roman territory. So we have here more than simply a piece of antiquarianism; this is historical reconstruction from a group whose capacity to integrate dominant ideologies into their own self-identity is strong. The point at which this combination of boundary and radial roads makes any sense may have been in the period after the Hannibalic Wars, as Rome begins to stabilize and dominate the road network, and perhaps it is even better located in the Augustan period, alongside Augustus' own focus on roads and regions⁷².

This lengthy digression demonstrates how careful we must be before we assume that there was a legitimate ancient memory of an area of territory with a fixed boundary, known as *ager Romanus antiquus*, which could be defined, as it often is today, on a map. It is not at all evident that the Romans wrote the narrative of Roman expansion with a notion of a fixed territorial extent by a given point in regal history, and that means that we cannot assume necessarily that such a notion determined the progress of regal expansion, i.e. that historians knew that by a particular reign a certain number of sites had to have been conquered to make sense of a cognitive map of Roman territory. Moreover, at least one mechanism of ancient spatial thinking was precisely along roads – itineraries rather than cartographies. On the other hand, the Catonian passage, and various other comparable accounts, do seem to indicate that the possession of territory came early into the story of Aeneas, and what we see when we come to the kings is that there is an acute awareness of incremental territorial growth.

In short, I do not believe that there ever was something which was called *ager Romanus antiquus* and we should simply stop referring to any such thing. The Romans certainly had *ager Romanus*, and the historians described how it grew over time. In fact it is a critical structuring feature of the Roman historical narrative that kings expanded the Roman territory. That does not mean necessarily that we should believe in any particular acquisition by any particular king, but the Roman sense that by the beginning of the Republic the Romans already had a large territory is probably right. The landscape was littered with traces of previous boundary points, but they were not joined up – as Ziolkowski nicely puts it, no-one draws boundaries with a compass⁷³.

THE CONSEQUENCES

So far this paper has been an exercise in negative thinking. What is at stake beyond a tedious definitional point?

i. First, we need to be careful about what we think happens at the edges and in between settlements. The notion of an *ager Romanus antiquus* which meets an *ager Gabinus* neatly matches those Thiessen polygons, but it is not clear that this makes any sense for the

⁷² LAURENCE 1999, pp. 42–45.

⁷³ ZIOŁKOWSKI 2009, p. 128.

archaic period. We have already seen the concept of *ager incertus*, and the Romans had an interesting category of land which they called *ager arcefinius* – land up to a frontier. It is not clear when this was invented, and it is also interesting to speculate on what *finis* means here, and whose *finis* it is⁷⁴. We need to introduce more variety into this picture.

ii. Sacred boundaries and extra-urban sanctuaries are interesting to think with. Yet even if they existed in the Greek world, we are not therefore obliged to find them in throughout the Italic world. de Polignac's model came from very particular sorts of examples – the large temple complexes such as Perachora or in Italy the pairing of the small sanctuary of San Biagio and the big Heraion at Metapontum, and the most obvious example, the Heraion at Foce delle Sele. Ziółkowski, Bourdin, Fulminante and others do well to draw out attention to this category, but we need to be reminded just how small scale the interactions were. Latium is about the size of Attica; these are articulations of a relatively flat landscape, and within that, the interrelations of neighbours. It would be worthwhile taking a hard look at this concept and the language we use. It is possible to think that we can see patterns in Campania and Etruria, and perhaps we could hope to map this phenomenon on to political phenomena such as the role of the *gentes* in the countryside, but there is still a need to develop some plausible models for the way in which these functioned in the landscape⁷⁵. To what extent were they mutually respected? What was the message they were intended to give out? Should we see them as defensive, offensive or markers of debates long concluded? Are they signs of a highly aggressive world, or of a relatively pacified landscape?

iii. One interesting issue is how full this landscape was. The nature of the boundaries and territoriality we are discussing depends quite heavily on how contested the agricultural regimes were. Cifani has regularly emphasised the increase in the numbers of small sites in this area, and the Tiber Valley data is definitive; the sixth century sees a large rise in new sites. This is too sharp to be a reflection solely of demographic change; something else is going on. Mogetta's emphasis on trade is important, and I suggest that whatever archaic significance any of these sanctuaries may have had needs to be considered within a broader account of the productive landscape of the eighth to sixth centuries, which is beyond the scope of this paper.

iv. The other side of this discussion is the question of what the juridical nature of the land holding was. The clue may lie in the fact that Roman tribes had gentilicial names; but the modern concept of *ager gentilicius* is much more problematic than is sometimes thought. To summarise a long argument, my guess would be that de facto control in time is crystallised into legal possession. Capogrossi Colognesi argued that *ager gentilicius* became *ager publicus*, and I think he is also right in general that we have to locate the emergence of private property in the late archaic period (I am less convinced about the existence of communal ownership). However, if we think through where this leaves us, what we would have is areas under the juridical or de facto control of individual extended families with a strong territorial base, but at the same time the emergence of a broader base of landholders. Calling all this *ager Romanus* is to make a number of claims about

⁷⁴ See for instance HERMON 2003.

⁷⁵ See RENDELI 1993, CIFANI 2003 and CARAFA 2008 for important contributions for Etruria and Campania respectively; ARMSTRONG 2016 is a recent example of the argument for an 'extra-mural gens-based elite.'

the power of the state over the fissive power of the *gentes*. Anyone who wants to claim that Rome had not come to grips with this in the sixth century BC cannot really speak of *ager Romanus*. If we do see the *ager Romanus* as a patchwork of local powerbases subordinated to some degree to a central identity, and if we connect it as is often done with Servian political reforms, not only does this make even clearer how Rome learnt the principle of aggregative absorption of neighbours from its earliest days, but it also renders the work of the sanctuaries rather more intriguing. Ziółkowski's observation that they are more about agricultural and community than about war and guard duty becomes germane to a conception of these sanctuaries as integrating local areas into a broader identity. And Ziółkowski's point about the *ambarvalia* then becomes even more interesting; this was not localised, nor was it a full beating of the bounds; rather it was a selective central statement in specific local areas. At this stage one wonders whether the milestone sanctuaries are more about keeping territory for Rome than defending it against outsiders – perhaps yet another mechanism to reinforce notions of identity from the inside.

v. This is not to say, and I have not sought to argue, that the Romans did not have a sense of their borders and how to define them. The Romans and others in central Italy and beyond marked boundaries which were significant to them, and did so in some instances through boundary markers, sanctuaries and festivals. However the conceptual notion of a boundary may have been more definitive than practice, and the specific boundary which modern scholarship calls the *ager Romanus antiquus* proves to be elusive. Thinking in a looser way about early frontiers leads to an interesting possible explanation of the interpenetration between later thought and earlier practice. We have noted that Hyginus describes how altars are set up on boundary points⁷⁶, and I wonder if subsequent colonial practice produced patterns of behaviour which may have drawn from earlier practice, and indeed contributed to a discourse which repeatedly used the myth of the foundation of Rome to explain later practice, and thereby steadily produced an ever more dense and complex (but no less fictional) foundation myth.

vi. This then leads to a consideration of Stek's conclusions over the absence of a model of the classical city-state whose territorial integrity was demarcated by border sanctuaries in the context of the development of the colonies themselves. Stek suggests instead the creation of socio-religious cohesion via sanctuaries in local communities. Where we agree is that Rome cannot offer a model of a centre dominating in the ways suggested, for instance, by de Polignac. The major difference is of course that colonies have a moment of foundation from which their territorial development proceeds, whereas at Rome we have only process. However, Stek's account that 'rural resident communities from the hinterland come, at least symbolically, to the center' is suggestive of a more complex relationship⁷⁷. Without in any way wishing to suggest that the colonies were modelled on Roman practice, I am intrigued by the parallel but not identical challenges for Rome and for colonies to manage in a general sense their territory, and at the same time establish ways of normalizing productive activities to ensure the capacity to accelerate exchange.

In conclusion, I would like to suggest that whilst the notion of a frontier encouraged us to look outwards, the notion of a loosely defined but variously celebrated territory

⁷⁶ Above footnote 23.

⁷⁷ STEK 2014, p. 102.

might encourage us to look inwards. Once we dispel the notion of some clearly defined archaic entity, the *ager Romanus antiquus*, we are at liberty to think that in the archaic period, there was a lot of land which was perhaps not clearly defined, and where the critical issue was to which community those sitting on that land thought they belonged. Given the sporadic nature of early warfare outside the colonial zone, frontiers (if we even bother to think about them) must have remained highly permeable. Perhaps the greatest challenge, especially for larger states, was keeping people in rather than keeping people out.

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RIASSUNTO

L'articolo prende in esame il concetto di ager Romanus antiquus. Dopo aver esposto la teoria tradizionale, quella di un territorio compreso all'interno di un anello distante circa cinque miglia dalla città di Roma, vengono analizzate recenti critiche a questa idea. Viene inoltre esaminato il concetto di 'santuario di frontiera' e successivamente discussa l'evidenza archeologica relativa alla probabile estensione territoriale della città. L'assenza di qualsiasi riferimento all'ager Romanus antiquus nelle fonti porta ad ipotizzare una concezione più flessibile dell'idea che i Romani avevano del loro territorio e del suo sviluppo attraverso i secoli.